

**AMENDMENTS TO THE CLAIMS**

1. (currently amended) An NROM memory transistor comprising:
  - a substrate having a plurality of source/drain regions, the source/drain regions having a different conductivity type than the remainder of the substrate;
  - a nanolaminate, high permittivity (high-k), oxidized metal gate dielectric overlying the substrate, the gate dielectric composed of oxide-oxidized Al-oxide ~~having a dielectric constant greater than a dielectric constant of silicon dioxide~~; and
  - a control gate formed on top of the gate dielectric.
2. (original) The transistor of claim 1 wherein the gate dielectric is a composite oxide – high-k dielectric – oxide nanolaminate gate insulator wherein the high-k dielectric is a charge trapping layer formed by low temperature oxidation of metal.
3. (canceled)
4. (original) The transistor of claim 1 wherein the transistor is used in either a NOR-type flash memory structure or a NAND-type flash memory structure.
5. (original) The transistor of claim 2 wherein the charge trapping layer is comprised of a material that has a lower conduction band edge than silicon nitride.
6. (original) The transistor of claim 2 wherein the gate dielectric has a larger energy barrier between the high-k dielectric and the oxide insulator than silicon dioxide.
- 7 – 37 (canceled)
48. (canceled)